

DOCKET FILE COPY ORIGINAL RECEIVED

APR 14 1993

Before The  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In re Applications of	)	MM Docket No. 93-53
	)	
KR PARTNERS	)	File No. BPH-911001MB
	)	
KES COMMUNICATIONS, INC.	)	File No. BPH-911003MH
	)	
LORI LYNN FORBES	)	File No. BPH-911004MH
	)	
For a Construction Permit for a	)	
New FM Station on Channel 256C in	)	
Waimea, Hawaii	)	

To: Honorable Joseph P. Gonzalez  
Administrative Law Judge

JOINT MOTION TO WITHDRAW PETITION

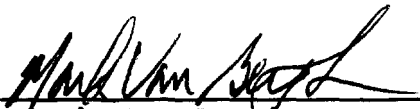
confirm this, the Commission's files were found to be in disarray.<sup>1</sup>

After counsel for KR investigated the matters raised in KES's Petition, and discussed them further with KES's counsel, the parties agreed to request the Presiding Judge to allow KES to withdraw its Petition. Counsel for KR has informed counsel for KES that when KR filed its application on October 1, 1991, it contained the correct environmental statement which addressed KR's proposed technical facility.<sup>2</sup> On October 2, 1991, prior to the close of the

Presiding Judge to permit KES to withdraw its Petition. Based on this request, KR does not intend to file an opposition to the Petition.<sup>3</sup> KR and KES have advised counsel for Lori Lynn Forbes of the filing of this Joint Motion.

Respectfully submitted,

KR PARTNERS

By:   
Mark Van Bergh  
Richard H. Waysdorf

WAYS DORF & VAN BERGH  
Suite 504  
1000 Connecticut Ave., N.W.  
Washington, D.C. 20036  
(202) 785-2870

KES COMMUNICATIONS, INC.

By:   
Cary S. Tepper

MEYER, FALLER, WEISMAN &  
ROSENBERG, P.C.  
4400 Jenifer Street, N.W.  
Suite 380  
Washington, D.C. 20015  
(202) 362-1100

Dated: April 14, 1993

---

<sup>3</sup> The Presiding Judge has granted KR until April 16, 1993, in which to file its opposition.

# CERTIFICATE OF SERVICE

I, Mark Van Bergh, an attorney in the law firm of Waysdorf & Van Bergh, hereby certify that I have on April 14, 1993, sent by